

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO. 7:11-CR-34-1BO (1)

UNITED STATES OF AMERICA)
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)
JAMES WALTER GODDARD)
a/k/a Walter James Karbley, Jr.)

PRELIMINARY ORDER AND JUDGMENT OF FORFEITURE

WHEREAS, after a hearing by the Court in conjunction with the sentencing, based on the evidence presented by the government therein, the following property is hereby forfeited pursuant to 18 U.S.C. §982, to wit: \$1,112,132.66 in gross proceeds.

AND WHEREAS, it appears that the forfeited sum is not available to the Government, the following assets are substituted, in part, for that forfeited amount, and forfeited to the Government, to wit:

Real Property:

Real property having the physical address of Lots 18 and 19 of Sandy Hills Subdivision, Leland, North Carolina 28451, including any and all appurtenances and improvements thereto, in the name of James W. Goddard, said property legally described in a Warranty Deed recorded in Book 2451 Page 1221 of the Brunswick County, North Carolina Register of Deeds, North Carolina, and

Currency:

a) \$43.29 seized from SunTrust Bank Account Number:
532214247;

b) \$287.05 seized from SunTrust Bank Account Number:
1000035019909;

c) \$231.40 seized from SunTrust Bank Account Number:
10000036163250;

d) \$35,364.78 seized from SunTrust Bank Account Number:
10000036163573;

e) \$192,749.12 seized from Charles Schwab ACCT: 1208-
3337(Goddard);

f) \$23,557.68 seized from Charles Schwab 529 Aggressive
Account: 009990367; and

g) \$1,534.05 seized from Charles Schwab 529 Aggressive
Account: 009990367(Goddard).

AND WHEREAS, the United States is now entitled to possession
of said property, pursuant to 21 U.S.C. 853(g);

It is hereby ORDERED, ADJUDGED and DECREED:

1. That based upon the evidence of record and presented at
hearing, the United States is hereby authorized to seize the
above-stated property, and it is hereby forfeited to the United
States for disposition in accordance with the law, subject to the
provisions of 21 U.S.C. § 853(n), as allowed by Fed. R. Crim. P.
32.2(b)(3). In accordance with Fed. R. Crim. P. 32.2(b)(3), this
Order is now final as to the defendant.

2. That upon sentencing and issuance of the Judgment and
Commitment Order, the Clerk of Court is directed to incorporate a

reference to this Preliminary Order of Forfeiture in the applicable section of the Judgment, as required by Fed. R. Crim. P. 32.2(b)(3).

3. That pursuant to 21 U.S.C. § 853(n), the United States shall publish notice of this Order and of its intent to dispose of the property in such manner as the Attorney General directs, by publishing and sending notice in the same manner as in civil forfeiture cases, as provided in Supplemental Rule G(4). Any person other than the defendant, having or claiming any legal interest in the subject property must file a petition with the Court within 30 days of the publication of notice or of receipt of actual notice, whichever is earlier.


The petition must be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in the subject property, and must include any additional facts supporting the petitioner's claim and the relief sought.

4. That upon adjudication of all third party interests this Court will enter a Final Order of Forfeiture, as required by Fed. R. Crim. P. 32.2(c).

5. That a money JUDGMENT is hereby entered against the amount of currency forfeited, not in the possession of the Government or its whereabouts known, that is, \$1,112,132.66; and that said currency be disposed of in accordance with law. To the

extent the forfeited substitute assets are applied to this JUDGMENT amount, the Government shall promptly file a Satisfaction of Judgment, in whole or in part, crediting such amount.

SO ORDERED. This 4 day of October, 2012.


TERRENCE W. BOYLE
United States District Judge